Justice Committee

Post-legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012

Written submission from Stewart Munro

1. The Scottish Fire and Rescue Service (SFRS) was established in April 2013 as part of a wider process of reform that was intended, in particular, to protect and improve local services, despite financial cuts... without cutting front-line services. The primary role of the SFRS is to save life and also to manage and mitigate risk through various protection and prevention initiatives. A list of the statutory rescue and lifesaving responsibilities of the SFRS is detailed in the Fire (Scotland) Act 2005 and also the Fire (Additional Function) (Scotland) Order 2005.

2. The Scottish Government made clear from the outset that providing an economic, efficient and effective response to fires and other emergencies is central to the purpose of the SFRS. An increased focus on prevention and risk reduction does not change the need for the SFRS to ensure that it has the necessary resources to respond appropriately to fires and other emergencies across Scotland. (Fire and Rescue Framework for Scotland 2016, Chapter 1, Paragraph 10). This prompts the obvious questions: Is the SFRS providing an efficient and effective response to fires and other emergencies across Scotland and do they have the necessary resources to respond appropriately?

3. Within the SFRS Response and Resilience Strategy 2013-2016, they identify that response planning involves constantly assessing and reassessing Scotland’s risk profile to meet the local and national needs of our communities, ensuring that the right resources are in the right place at the right time. This is achieved using the process of Integrated Risk Management Planning (IRMP) and will be a key element in delivering an efficient and effective response to the communities of Scotland. What IRMP does is:
   3.1. Identify what risks there are to communities and who are the people most at risk;
   3.2. Evaluate how these risks are currently managed and decide if additional measures are needed;
   3.3. Identify what these additional measures are and how they can be delivered;
   3.4. Record the process in the form of a plan called the Integrated Risk Management Plan (IRMP);
   3.5. Implement the plan;
   3.6. Continually review and assess performance of the risk reduction measures to make sure they are delivering the desired outcome for communities.

4. The IRMP process categorises areas and communities into risk levels, these being Very High, High, Medium, Low and Very Low. It should be noted that the term “risk” means the risk to people. For incidents, including a critical life risk incident, the analysis process determines an appropriate pre-determined response in terms of the number of fire engines and personnel to be initially mobilised and their response time to reach the incident.

5. What the analysis process shows is that the risk to life from fire in Scotland is
comparatively high. SFRS statistics confirm that in 2015/2016 the fire fatality rate in Scotland was 8.4 per million population, much higher than in England and Wales (5.5 and 6.1 respectfully) and higher than Germany and France. Although the service and political mantra is that the number of fires is reducing and the long term trend is downward, I note that in the first three years of the SFRS the number of dwelling fires increased year on year from 5,344 in 2013/2014, 5,581 in 2014/2015 to 5,673 in 2015/2016. In the first three years of the SFRS the number of fire fatalities increased from 31 in 2013/2014, 41 in 2014/2015 to 45 in 2015/2016.

6. Moving on to issues of reporting, transparency and accountability, the SFRS is required to ensure that its’ reports contain appropriate outcome measures and performance indicators in relation to service delivery and quality, both locally and nationally (Fire and Rescue Framework for Scotland 2016, Chapter 3, Page 22, Strategic Priority 9, Effective Governance and Performance).

7. The SFRS have a penchant for producing voluminous, highly esoteric and badly laid out Fire and Rescue Incident Statistical Reports, crammed full of data and statistics which tend to be difficult for the lay reader to understand, let alone interpret. One could be forgiven for believing that these reports and statistics are intended to obfuscate rather than to inform. I have to say that I probably know more about the performance of the North Korean economy than I do about the performance of my local fire station because neither the SFRS Annual Fire and Rescue Statistics Report nor the SFRS Annual Performance Report contain any details about fire station emergency activity and workload, availability or non-availability (day and night), how quickly they can turn out to emergencies and how long it takes them to arrive at incidents.

8. Adding to the intrigue, I note that of the six performance targets allocated to the SFRS by the Scottish Government, none of them relate to quality of emergency response. (Fire and Rescue Framework for Scotland 2013, Chapter 1, Paragraph 48).

9. When the SFRS was established in 2013, it was against the backdrop of a very challenging financial environment. Although not a stated objective of reform, one of the main reasons for it was to save money, with cumulative net savings of £328 million expected by the end of 2027/2028 (Audit Scotland Report, May 2015). To provide public reassurance, what the SFRS first did was adopt a policy of no fire station closures. This was a political rather than an operational decision but it had the effect of further constraining their already very limited room for manoeuvre. What the SFRS was being tasked to do was to manage decline. From the outset, circumstances ensured that the key driver of the SFRS changed from being the management of risk to being the management of finances. They became bean counters. What is also obvious is that the reality back in 2013 was that both the Scottish Government and the SFRS would have known that the target financial savings identified could not realistically be achieved without cutting front-line services, yet it has taken the SFRS five years to admit this publicly. By fixating on achieving savings to the extent that they have, there is sufficient evidence to suggest that the SFRS might have lost sight of their risk management obligations.
10. It is my hypothesis that the SFRS changed from having pre-determined response times to incidents, as required under IRMP, to having dynamic response times based only on the availability of the nearest resources to an incident. As evidence for this belief I cite:

11. The SFRS are mandated to publish data relating to emergency response performance effectiveness and quality, including response times to incidents for all appliances, in an open and transparent manner, but in the 5 years of their existence they have never reported on this performance indicator. (Fire and Rescue Framework for Scotland, Chapter 3, Page 22, Strategic Priority 9, Effective Governance and Performance).

12. On the SFRS website, transformation pages, the SFRS state “Our operating model has served us well but it was developed for the needs of the 1940’s. The risks and needs of our communities are different and to meet them we need a more flexible operating model”. This is a very misleading and inaccurate statement. The operating model that the SFRS are referring to is the National Standards of Fire Cover which were repealed in 2005, to be replaced by IRMP, which the SFRS currently uses and which is totally flexible and fit for purpose, used by 49 of the 50 fire and rescue services protecting the UK.

13. Also on the SFRS website news pages on 4 March 2018, the Deputy Chief Officer of the SFRS states “National response times are not a meaningful measure in Scotland because our country includes large inner cities as well as diverse rural and remote communities.”

14. Contrast the Deputy Chief Officer’s views with those of the Scottish Ambulance Service. Their view is that for immediately life threatening calls where someone is in imminent danger of death, clinical evidence shows that an immediate response has the potential to significantly improve the patient’s outcome. The existing standard is to respond to 75% of immediately life threatening calls, including cardiac arrests (OHCA), within eight minutes. This standard applies to the whole of the Scottish mainland, Orkney, Shetland and the Western Isles. The ambulance service goes on to say that “we know that speed of response is valued by patients as an important characteristic of a responsive service, and supports a positive patient experience.” (Scottish Ambulance Service, HEAT Standard).

15. This confirms the relationship between speed of response and survivability. The fire and rescue equivalent of the clinical evidence referred to in the HEAT Standard is research conducted by the consultancy ENTEC in the late 1990’s for the Scottish Office and U.K. Government. Their research showed that there is little difference in death rates between attendance times of 1 to 5 minutes and 6 to 10 minutes, but it does indicate that attendance times greater than this have significantly higher death rates. 1 in 24 fire casualties are likely to be to be fatally injured in a 6 to 10 minute response time, compared to 1 in 18 for an 11 to 15 minute response time. The highest fatality rate is observed for a response taking over 20 minutes, a 1 in 6 fatality rate per fire casualty. This is taken to equate to a “no fire cover” fatality rate as persons remaining in a serious fire after this time
are very likely to be fatally injured. An 11 to 15 minute response time should reduce the risk of fatal injury by about 65%, i.e. avert 6.5 out of 10 deaths which would otherwise occur.

16. In October 2017 in a media briefing on service transformation, the Chief Officer of the SFRS revealed that, on a daily basis, between 60 and 100 front line fire engines are unavailable to respond to emergency calls due to the lack of trained crews. This is not a planned reduction but appears to be random and chaotic in nature. For a service whose primary raison d’etre is to save lives, this is a remarkable admission of failure. Some 20% of Scotland’s fire and rescue life-saving resources are sitting idle and unavailable for deployment to emergencies. In making this statement, the SFRS are de facto admitting that they are not managing their life-saving resources properly and if they are not doing that then they are also not managing the risk to persons within these affected areas. Although the risk of an emergency happening does not increase because the local fire engine is not available, the survivability prospects of any victim trapped by the emergency are exponentially reduced the longer it takes for the SFRS to arrive. Unfortunately the SFRS have not indicated the distribution and duration of the non-provision, meaning that the affected communities remain unaware of the extent to which their safety has been compromised, but it would appear to vary on a day to day basis.

17. As confirmation of the fact that the SFRS are not managing risk efficiently and effectively, I offer the following case study, detailed in the Northern Times newspaper on 16 December 2016:

The village of Lochinver in Sutherland is classified within IRMP as being Very Low risk. The commensurate response times for a critical life risk incident will be a maximum of 25 minutes. In April 2014, the dwindling numbers of fully trained firefighters led the Lochinver fire engine becoming unavailable. In December 2016, some two years and eight months later, the local fire engine was still unavailable. That same month a fire occurred in the village which involved a person trapped. The nearest available fire engine from Achiltibuie was mobilised, taking 48 minutes to arrive. Sadly, but not surprisingly, the victim died. Now consider again that on a daily basis up to 60 to 100 communities in Scotland are without their local fire engine. That is the quality of fire and rescue service being provided by the SFRS. They may wish to consider how this state of affairs reflects on their obligations under Chapter 2 of the Fire (Scotland) Act 2005. The first duty of the Scottish Government is to protect its citizens. They might also wish to reflect on the difference between cost and value in that context.

18. It is appropriate to conclude this section of my submission by emphasising that the quality of service provided by SFRS front line crews once they arrive at an incident continues to be of the highest order of efficiency, effectiveness and quality and stands comparison to that provided by any fire and rescue service anywhere in the world. In 2013/2014 firefighters in Scotland rescued 726 persons from fires, in 2014/2015 they rescued 628 persons from fires and in 2015/2016 firefighters rescued 700 persons from fires. That is a magnificent track record and is why we must maintain a high quality fire and rescue service.
19. The Scottish Government’s second main policy objective in promoting the 2012 Act was to create more equal access to national capacity and specialist support – like… flood rescue – where and when they are needed. I simply make the following observations:

19.1. When the SFRS was established in April 2013, there was 1 frontline pump fire engine provided in the City of Dundee for each 18,500 population, while in the City of Edinburgh there was 1 frontline pump fire engine provided for each 42,260 population. At the time of compiling this submission (April 2018), there is still 1 frontline pump fire engine provided in the City of Dundee for each 18,500 population and in the City of Edinburgh there is still 1 frontline pump fire engine provided for each 42,260 population. Any risk analysis which delivers and maintains this outcome is obviously deeply flawed, and I doubt if the Court of Public Opinion in Edinburgh will consider this to be an equitable distribution of supposedly scarce resources.

19.2. The SFRS has a statutory duty to rescue people trapped, or likely to become trapped, by water in the event of serious flooding (Fire (Additional Function) (Scotland) Order 2005, Section 5). When the SFRS was established in April 2013, there were no HIFRS rescue boats allocated north and west of the Great Glen of Scotland. At the time of compiling this submission (April 2018) there are no SFRS rescue boats allocated north and west of the Great Glen of Scotland. Given that the term “rescue” implies some order of urgency, this is very concerning.

20. I believe that the SFRS are non-compliant with their statutory duties under Sections 9(2) (a) (b), 10(2) (a) and (b) of the Fire (Scotland) Act 2005 due to their not having sufficient personnel and equipment available daily in up to 60-100 locations across Scotland necessary to ensure a sufficient and efficient level of risk cover.

21. I believe that the SFRS are non-compliant with their obligations under the Fire and Rescue Framework for Scotland 2016, Chapter 1, Page 10, Responding to Incidents, Paragraph 1 due to not having the necessary resources able to respond appropriately to fires and other emergencies in up to 60-100 locations across Scotland on a daily basis.

22. I believe that the SFRS are non-compliant with their obligations under the Fire and Rescue Framework for Scotland 2016, Chapter 1, Page 11, Managing Risk, Paragraph 3 due to not having sufficient appliances and personnel available in up to 60 to 100 locations across Scotland on a daily basis the ensure it remains “fit for purpose.”

23. I believe that the SFRS are non-compliant with their obligations under the Fire and Rescue Framework for Scotland 2016, Chapter 3, Page22, Strategic Priority 9, Effective Governance and Performance, Paragraphs 1 and 2, in not demonstrating effective governance, strong accountability and resilient performance on a daily basis in up to 60-100 communities across Scotland.

24. I believe that the SFRS are non-compliant with their obligations under the Fire and Rescue Framework for Scotland 2016, Chapter 3, Page22, Strategic Priority 9, by not having open, comprehensive and transparent reports from which the
Scottish Government and key stakeholders can determine and assess the quality of emergency response across Scotland.

25. The SFRS may wish to reflect on the extent to which the non-provision of an effective emergency response service on a daily basis in up to 60-100 locations across Scotland might conflict with their common law duty of care and their obligations under Article 2 of the European Convention on Human Rights.

26. I believe that the SFRS are non-compliant with their obligations under the Fire and Rescue Framework for Scotland 2016, Annex A, Paragraph 1, by not having appropriate performance measures for emergency response.

27. I believe that the SFRS are non-compliant with their obligations under the Fire and Rescue Framework for Scotland 2016, Annex A, Paragraph 7, by not providing sustainable operating systems which are fit for purpose and meet local needs in up to 60-100 locations across Scotland on a daily basis.

28. I believe that the SFRS are non-compliant with their obligations under the Fire and Rescue Framework for Scotland 2016, Annex A, Paragraph 9, by not providing data sufficient to facilitate and enable effective public reporting of emergency response quality.

29. Ultimately, the Scottish Fire and Rescue Service can only succeed if it enjoys the trust, confidence and support of the people and communities of Scotland. Currently, I would suggest that in large parts of Scotland they do not, for the reasons detailed above. The unfortunate reality is that in order to be able to determine the efficiency and effectiveness of the SFRS across Scotland, we currently would need to submit 356 Freedom of Information requests, one for each fire station.

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